

**ENTERED**

January 16, 2024

Nathan Ochsner, Clerk

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

In re:

MOUNTAIN EXPRESS OIL COMPANY, et al.,

Debtors.<sup>1</sup>

Chapter 7

Case No. 23-90147 (EVR)

(Jointly Administered)

**STIPULATION REGARDING EXTENSION OF SCHEDULING DEADLINES AND  
RESCHEDULING OF HEARING IN CONNECTION WITH CHAPTER 11 FINAL FEE  
APPLICATIONS AND RESERVE DISTRIBUTION MOTION****[Related to Docket No. 1632]**

**WHEREAS**, on October 3, 2023, Pachulski Stang Ziehl & Jones LLP (“PSZJ”), former counsel to the above captioned Debtors (the “Debtors”), filed the *Motion of Former Counsel for the Debtors for Entry of an Order Authorizing the Payment of Estate Professionals’ Fees Pursuant to Final DIP Order and Professional Fee Order* [Docket No. 1519] (the “Reserve Distribution Motion”).

**WHEREAS**, on November 1, 2023, the Court approved and ordered the *Stipulation Regarding Scheduling Deadlines and Hearing in Connection with Chapter 11 Final Fee Applications and Reserve Distribution Motion* [Docket No. 1632] (the “Scheduling Order”), which established certain deadlines and scheduled a hearing.

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<sup>1</sup> A complete list of each of the Debtors in these chapter 7 cases may be obtained for a fee at the Court’s website at <http://ecf.txsb.uscourts.gov>. A login identification and password to the Court’s Public Access to Court Electronic Records (“PACER”) are required to access this information and can be obtained through the PACER Service Center at <http://www.pacer.psc.uscourts.gov>. The location of Debtor Mountain Express Oil Company’s principal place of business and the Debtors’ service address in the chapter 11 cases was 3650 Mansell Road, Suite 250, Alpharetta, GA 30022.

**WEHREAS**, on November 13, 2023, McDermott Will & Emery LLP (“MWE”) and Province, Inc. (“Province”) each filed their Final Fee Applications [Docket Nos. 1710 and 1711, respectively].

**WHEREAS**, on November 15, 2023, Akerman LLP (“Akerman”), Lugenbuhl, Wheaton, Peck, Rankin & Hubbard (“Lugenbuhl”), PSZJ, Raymond James & Associates, Inc. (“RJA”), FTI Consulting, Inc. (“FTI”), and Axinn, Veltrop & Harkrider LLP (“Axinn”) each filed their Final Fee Applications (defined below) [Docket Nos. 1718<sup>2</sup>, 1720, 1721, 1722, 1724 and 1725, respectively].

**WHEREAS**, pursuant to the Scheduling Order, November 15, 2023 was the deadline to file the Final Fee Applications and January 15, 2024 is the current deadline to file (a) objections to any of the Final Fee Applications and (b) any supplemental objection to the Reserve Distribution Motion.

**WHEREAS**, for the benefit of the Court and the Chapter 7 Trustee, and the efficient administration of these estates, each of the undersigned professionals: (i) PSZJ, (ii) FTI, (iii) RJA, (iv) Akerman, (v) Axinn, (vi) Lugenbuhl, (vii) MWE, and (viii) Province have agreed with the Trustee and First Horizon Bank, as Administrative Agent, to an extension of the deadlines and hearing in the Scheduling Order (this “Stipulation”) set forth below for the timing and hearing for each of their final fee applications (the “Final Fee Applications”) and for consideration of the Reserve Distribution Motion.

**NOW, THEREFORE, IT IS STIPULATED AND AGREED TO BY THE PARTIES, AND UPON APPROVAL BY THE COURT OF THIS STIPULATION, IT IS SO ORDERED AS FOLLOWS:**

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<sup>2</sup> Docket No. 1718 is Akerman’s *Amended* Final Fee Application, amended Docket No. 1533 filed on October 9, 2023.

1. The above recitals are incorporated by reference herein with the same force and effect as if fully set forth hereinafter.

2. The deadline to file (a) objections to any of the Final Fee Applications and (b) any supplemental objection to the Reserve Distribution Motion for the Trustee and First Horizon Bank only shall be February 29, 2024 (the “Objection Deadline”).

3. The deadline to file replies to any objections to the Final Fee Applications or the Reserve Distribution Motion shall be ~~fifteen (15) days following expiration of the Objection Deadline~~ March 1, 2024.


4. A hearing on the Final Fee Applications originally set for February 15, 2024 at 9:00 a.m. CST shall be held on March 29, 2024, electronically via gotomeeting, at 9:00 a .m., CST.

5. This Stipulation may be executed by electronic means and the printed product of such shall constitute an original of this Stipulation.

6. Notwithstanding anything in the Bankruptcy Code or the Bankruptcy Rules to the contrary, this Stipulation shall be effective immediately upon Bankruptcy Court approval thereof.

7. The Bankruptcy Court shall have exclusive jurisdiction and power regarding the implementation, interpretation, and enforcement of this Stipulation.

Signed: January 16, 2024

  
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Eduardo V. Rodriguez  
Chief United States Bankruptcy Judge

**AGREED AS TO FORM AND CONTENT:**

Dated: January 15, 2024

*/s/ Jeffrey W. Dulberg (with permission)*

**PACHULSKI STANG ZIEHL & JONES LLP**

Michael D. Warner (TX Bar No. 00792304)  
Steven W. Golden (TX Bar No. 24099681)  
440 Louisiana Street, Suite 900  
Houston, TX 77002  
Telephone: (713) 691-9385  
Facsimile: (713) 691-9407  
mwarner@pszjlaw.com  
sgolden@pszjlaw.com

-and-

Jeffrey N. Pomerantz (admitted *pro hac vice*)  
Jeffrey W. Dulberg (admitted *pro hac vice*)  
10100 Santa Monica Blvd., 13th Floor  
Los Angeles, CA 90067  
Telephone: (310) 981-6910  
Facsimile: (310) 201-0760  
jpomerantz@pszjlaw.com  
jdulberg@pszjlaw.com

*Former Counsel to the Debtors*

*/s/ Benjamin W. Kadden (with permission)*

**LUGENBUHL, WHEATON, PECK, RANKIN & HUBBARD**

Benjamin W. Kadden (TX 24077542)  
Coleman L. Torrans (*Pro Hac Vice*)  
601 Poydras St., 27th Floor  
New Orleans, LA 70130  
Telephone: (504) 568-1990  
Facsimile: (504) 310-9195  
bkadden@lawla.com  
ctorrans@lawla.com

*Former Special Litigation Counsel to the Debtors*

*/s/ Shari L. Heyen (with permission)*

**GREENBERG TRAUIG, LLP**

Shari L. Heyen Texas Bar No. 09564750  
1000 Louisiana St., Suite 1700  
Houston, Texas 77002  
Telephone: (713) 374-3564  
Facsimile: (713) 374-3505  
Shari.Heyen@gtlaw.com

-and-

John D. Elrod (admitted *pro hac vice*)  
Terminus 200, Suite 2500  
3333 Piedmont Road, NE  
Atlanta, Georgia 30305  
Telephone: (678) 553-2259  
Facsimile: (678) 553-2269  
ElrodJ@gtlaw.com

*Counsel for First Horizon Bank, as  
Administrative Agent and DIP Agent*

*/s/ Jeny M. Maier (with permission)*

**AXINN, VELTROP & HARKRIDER LLP**

Jeny M. Maier  
1901 L Street, NW  
Washington, DC 20036  
Telephone: (202) 469-3523  
Facsimile: (202) 912-4701  
jmaier@axinn.com

*Former Special Antitrust Counsel to the  
Debtors*

*/s/ Michael Healy (with permission)*

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**FTI CONSULTING, INC.**

Michael Healy  
Senior Managing Director  
1166 Avenue of the Americas  
15th Floor  
New York, New York 10036  
Telephone: (212) 247-1010

*Former Chief Restructuring Officer to the Debtors*

*/s/ Geoffrey Richards (with permission)*

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**RAYMOND JAMES & ASSOCIATES, INC.**

Geoffrey Richards  
880 Carillon Parkway  
St. Petersburg, FL 33716  
Telephone: (757) 567-1000  
geoffrey.richards@raymondjames.com

*Former Investment Banker to the Debtors*

*/s/ Charles R. Gibbs (with permission)*

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**MCDERMOTT WILL & EMERY LLP**

Charles R. Gibbs (Texas Bar No. 7846300)  
Marcus A. Helt (Texas Bar No. 24052187)  
Jane A. Gerber (Texas Bar No. 24092416)  
2501 North Harwood Street, Suite 1900  
Dallas, Texas 75201-1664  
Telephone: (214) 295-8000  
Facsimile: (972) 232-3098  
crgibbs@mwe.com  
mhelt@mwe.com  
jagerber@mwe.com

-and-

Maris J. Kandestin (admitted *pro hac vice*)  
The Nemours Building  
1007 North Orange Street, 10th Floor  
Wilmington, Delaware 19801  
Telephone: (302) 485-3900  
Facsimile: (302) 351-8711  
mkandestin@mwe.com

*Former Counsel to the Official Committee of Unsecured Creditors*

*/s/ Adam Rosen (with permission)*

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**PROVINCE, LLC**

Adam Rosen, Principal  
2360 Corporate Circle, Suite 340  
Henderson, NV 89074  
Telephone: (702) 685-5555  
arosen@provincefirm.com

*Former Financial Advisor to the Official Committee of Unsecured Creditors*

*/s/ R. Adam Swick (with permission)*

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**AKERMAN LLP**

R. Adam Swick  
2001 Ross Avenue, Suite 3600  
Dallas, TX 75201  
Telephone: (214) 720-4300  
Facsimile: (214) 981-9339  
adam.swick@akerman.com

*Special Environmental Counsel to the Debtors*

*/s/ Heather Heath McIntyre (with permission)*

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**HUGHESWATTERSASKANASE, LLP**

Wayne Kitchens TBN 11541110  
Heather Heath McIntyre TBN 24041076  
Total Plaza  
1201 Louisiana, 28<sup>th</sup> Floor  
Houston, TX 77002  
Telephone: (713) 759-0818  
Facsimile: (713) 759-6834  
wkitchens@hwa.com  
hmcintyre@hwa.com

*Attorneys for Janet S. Northrup, Chapter 7  
Trustee*